

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

MICHAEL L. MCGINLEY, et al.,

Plaintiffs,

vs.

MUNCHKIN, INC.,

Defendant.

Case No. 09-0257-CV-W-GAF

**JOINT MOTION TO EXTEND CURRENT DEADLINES  
FOR SUBMITTING EXPERT DISCLOSURES**

The parties respectfully move the Court for an Order extending the deadlines by which the parties must disclose the expert witnesses they intend to call at trial by approximately ten (10) additional days on the grounds that good cause exists for the extensions or time, all as is more fully set out below.

1. A party asserting an affirmative claim for relief must currently disclose the experts it intends to call at trial on or before April 15, 2010 and a party defending itself against an affirmative claim for relief must disclose the expert witnesses it intends to call at trial on or before May 17, 2010. (Doc. #60)

2. Today, one of plaintiffs' experts advised plaintiffs' counsel that for reasons related to the health of a family member, he will not likely be able to complete his affidavit/report by April 15, 2010. The expert suggested that an additional 7 to 10 days should give him enough time to complete his work.

3. Plaintiffs' counsel promptly advised defense counsel of the circumstances and both sides agreed that it would be better to extend both of the existing deadlines by an additional ten (10) days, rather than to extend the deadline for submitting one of what will be multiple

affidavit/reports.

4. The subject deadlines have been extended twice before by agreement or consent from February 15, 2010 and March 15, 2010 to the current deadlines of April 15 and May 17. (Doc. #'s 16, 35, 60)

5. The parties agree that the proposed extensions will not adversely affect any of the scheduling or trial deadlines previously set by the Court, including the June 18, 2010 deadline for completing discovery.

6. The instant request to extend the above deadlines is made in good faith and not for the purpose of delay.

WHEREFORE, the parties, for cause shown, respectfully request the Court to enter an Order extending the deadlines by which the parties must disclose the expert witnesses they intend to call at trial by approximately ten (10) additional days, through **April 26, 2010 and May 27, 2010.**

Dated: April 12, 2010

Respectfully submitted,

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